



PHILIP MORRIS

INCORPORATED

LAW DEPARTMENT
PATENT SECTION

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TELEX 827339

30 January 1984

Mr. Philip K. Holland
Ridout & Maybee
2300 Richmond-Adelaide Centre
101 Richmond Street West
Toronto, Canada M5H 2J7

Dear Mr. Holland:

RE: Flavor-Release Beta-Hydroxy-Ester Compositions
PM 1019 - Canadian Application 397,654

If we must choose between Claims 1 and 13, Claim 1 would be preferred.

We entirely agree to --compound-- in place of "composition" in the claims in question.

You certainly appear to have a sound argument to uphold the claims to compositions (smoking products) as well as to compounds. We hope you are successful in maintaining this position.

As to Claims 26-33, we cannot provide any characterizing data to support those compounds. If that means canceling those claims, so be it.

No other prior art has been cited in U.S. prosecution. Under a requirement for election, Claims 15-33 have been canceled for later divisional filing and Claims 1-14 have been found allowable.

Very truly yours,

G. Esler Inskeep

cc: Dr. T. Osdene

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